

Economic Exploitation of Children¹

Introduction

186. In view of the importance it attaches to the enhancement of a deeper understanding of the Convention on the Rights of the Child, the Committee had decided to devote one day of its fourth session to a general discussion on the economic exploitation of children. The decision to consider this topic reflected the importance of the issue in the framework of the promotion and protection of the rights of the child, the urgency of creating awareness and raising concern at the growing number of children in situations of economic exploitation; the need for integrated and concerted action by Governments, United Nations bodies and other competent bodies active in the field of the rights of the child, as well as the decisive role the Convention on the Rights of the Child could play in that regard.

187. The Committee had been provided with some important background documents, in addition to the two Programmes of Action adopted by the Commission on Human Rights for the Elimination of Child Labour and for the Prevention of the Sale of Children, Child Prostitution and Child Pornography.

188. Several organizations had submitted documents on the theme, as follows:

- Protection of children against economic exploitation by the International Labour Organisation;
- Sale of children by the Special Rapporteur on the sale of children of the Commission on Human Rights;
- Eliminating the exploitation of child labour by the sub-group on child labour of the NGO Group for the Convention on the Rights of the Child;
- Comments regarding the monitoring by the Committee of the Convention's articles relating to child victims of sexual exploitation by the Sub-group on sexual exploitation of children of the NGO Group for the Convention on the Rights of the Child;
- Economic exploitation of children (extreme poverty and child labour) by the International Movement ATD Fourth World;
- Niños trabajadores: organizando la esperanza de América Latina y el Caribe by Radda Barnen;
- Wish you weren't there: the sexual exploitation of children in connection with tourism and international travel, and Children and income-generating projects by Save the Children UK;
- Possible causes and solutions of child prostitution in Taiwan by the Association François-Xavier Bagnoud;
- Reflexiones en torno al trabajo infantil en el Perú by the Grupo de Iniciativa Nacional por los Derechos del Niño.

189. The following organizations and bodies made statements on the day of the general discussion: United Nations Children's Fund, United Nations Development Programme, International Labour Organisation, Food and Agriculture Organization of the United Nations, United Nations Educational, Scientific and Cultural Organization, World Health Organization, International Monetary Fund, Board of Trustees of the United Nations Voluntary Fund on Contemporary Forms of Slavery, Anti-Slavery International, Child Workers in Nepal, International Catholic Child Bureau, International Confederation of Free Trade Unions, International Federation of Social Workers, International Institute for Human

¹ Excerpted from CRC/C/20, 4th Session, 4 October 1993.

Rights, Environment and Development, International Movement ATD Fourth World, International Movement of Apostolate of Children, Movement for Child Workers in Latin America, World Federation of Methodist Women, Youth for Unity and Voluntary Action.

190. The Committee took note of the steps taken in that regard by the Sub-Commission on Prevention of Discrimination and Protection of Minorities, namely its decision, contained in resolution 1993/5 of 20 August 1993, to appoint a Special Rapporteur to update the report of Mr. Abdelwahab Boudhiba on the exploitation of child labour (E/CN.4/Sub.2/479/Rev.1).

191. The Special Rapporteur on the sale of children, child prostitution and child pornography also submitted a document concerning the steps he has taken within the framework of his mandate and made a statement before the Committee.

192. The general discussion was a meaningful occasion for a fruitful exchange of views between the members of the Committee and United Nations bodies, specialized agencies and other competent bodies, in particular non-governmental organizations.

193. Situations of child labour, including the question of domestic servants, child prostitution and pornography and sale of children, were considered by the participants. During the discussion, which was introduced by members of the Committee (Mrs. Marta Santos Pais, Mr. Thomas Hammarberg and Mrs. Akila Belembaogo; see annex V), particular emphasis was put on the need for the child to be put at the centre of all policies, whether they are adopted by international financial institutions, development agencies or Governments. Attention was also drawn to the need to respect the dignity of the child, while enhancing the values of solidarity, participation and equity.

194. The discussion made clear the need for a comprehensive and concerted action for prevention, protection and rehabilitation. The need to strengthen preventive actions was stressed and education was referred to in that regard as an essential tool. Recommendations were also made in the field of the protection of the rights of the child, including the establishment of an ombudsperson who might intervene and assist the child victim of economic exploitation. The important role of recovery and social reintegration of child victims of any form of economic exploitation was recognized. At all levels of action, effective coordination was recognized as an essential aspect to achieve progress, both at the national and the international level.

195. The discussion emphasized the relevance of the general principles of the Convention to assess the reality, design adequate policies and implement effective plans of action to combat the plight of exploited children and ensure the effective enjoyment of their right to childhood.

196. In view of the contributions made and the importance of the problems considered, the Committee decided that there was a need for a continuous response to this urgent question. It therefore decided (i) to make a public statement on the outcome of the general discussion day (see annex VI); (ii) to establish a working group among its members to prepare, in the light of the discussion and of the provisions of the Convention, a set of recommendations to be considered at its regular session scheduled for January 1994; (iii) to consider issuing a publication based on the general discussion on the economic exploitation of children.

Opening Statements²

1. Statement by Mrs. Marta Santos Pais

The Committee on the Rights of the Child attaches decisive importance to the promotion of awareness and dissemination of information on the Convention. For this reason, and in order to emphasize a deeper understanding of the content and implications of its provisions, the Committee has decided to devote one day of its regular sessions to a general discussion on a specific article or theme covered by the Convention.

Following its first experience, on the situation of children in armed conflicts, the Committee decided to consider at its fourth session the question of "Economic exploitation of children" - a complex reality which, while underlying the vulnerability of children, openly emphasizes the holistic nature of their rights and the urgency of the implementation of those same rights. By the same token, the study of this reality reaffirms the need for integrated and concerted action by Governments, United Nations and other competent bodies active in the field of the rights of the child, in a determined way, showing how indispensable it is to promote, like the World Conference on Human Rights recently reaffirmed, a comprehensive national approach together with a regular review and monitoring by all relevant organizations and mechanisms of the United Nations system of their policies on children.

It seems important to start the theme day's discussion by addressing some preliminary questions:

- 1) What is the scope of our study, that is, what should be understood by the expression "economic exploitation", used in article 32 of the Convention on the Rights of the Child?
- 2) To what extent can we dissociate situations of economic exploitation from the consideration of the child as the central subject, unfortunately also the central victim?
- 3) How closely interrelated are the situations of economic exploitation of children with the deprivation of their fundamental rights, and how relevant are the general principles of the Convention - namely non-discrimination, best interests of the child and the child's participation - to bring these situations to an end?

First, what is meant by "economic exploitation"? The Convention does not provide us with a definition; a conceptual approach may thus shed some light. This expression combines two distinct elements: economic and exploitation.

Economic implies the idea of a certain gain or profit through the production, distribution and consumption of goods and services. This material interest has an impact on the economy of a certain unit, be it the State, the community or the family.

For its part, exploitation means taking unjust advantage of another for one's own advantage or benefit. It covers situations of manipulation, misuse, abuse, victimization, oppression or ill-treatment.

If we take the Convention as the framework for our approach, we will recognize the existence of a material interest in activities such as child labour, child pornography or the use of children for criminal activities, as in the case of drug trafficking. On the other hand, we are confronted with a situation of exploitation essentially when the human dignity of the child or the harmonious development of the child's personality is not respected - situations such as the sale of children, child bondage or child prostitution.

² CRC/C/20, Annex V.

Combining the two elements, it is important to recognize that, although there is a large area of coincidence, not all activities where an economic element prevails are necessarily exploitive. In fact, in view of the general definition of the child in article 1 of the Convention as a person below the age of 18 years, situations of licit work may arise if due regard is taken of the relevant provisions of international instruments, for instance, according to ILO Convention No. 138, light work may be performed at the age of 13.

This conceptual approach may therefore be a relevant guiding principle in trying to define the scope of our discussion on economic exploitation.

Second, there is often a temptation to emphasize the situation of poverty, underdevelopment or the external debt of a country as root causes, and in fact the main justification, for the inevitable existence of activities where the child becomes more vulnerable to exploitation.

The fight for survival leads the child to feel a need to contribute to the family income. The family cannot but encourage such a contribution. The community at large accepts it as a "needed evil". The child is seen solely, if ever recognized, as a simple element within the overall system, where economic challenges are given priority and the human place is undermined.

Such an approach, together with the fact that the activities in which children often engage are illicit and clandestine, contribute to public apathy and to the growing marginalization of the child. But can children be forgotten until poverty and development problems are overcome?

There is an urgent need to reassess the whole reality, respecting the dignity and individuality of the child, ensuring the effective realization of his or her rights, changing deprivation into solidarity, discrimination and vulnerability into participation and equity. Bringing the child into the centre of all development strategies. Only then will it be possible to envisage appropriate policies and to adopt necessary measures to combat situations of economic exploitation in the light of the best interests of the child.

Finally, it is important to be alert to the close relationship between the realization of the rights of the child and the eradication of situations of economic exploitation. Such a relationship will help us to envisage strategies and find solutions to the problems we may face. In fact, we need first to know the extent of the problem. No one really knows how many children are involved in situations of economic exploitation. Being often illicit, activities are developed in a hidden environment. Statistics and indications are lacking.

However, the compulsory registration of children after birth enables the identification of their age for those who are working, those who go to school, those who are forced to marry at an early age, those who are entitled to benefit from a special protection in view of their age or vulnerability. The definition of the child thus gains additional relevance.

We also need to bring what is invisible into the light. If awareness is created about the rights of children, it becomes easier to break the curtain of silence and public apathy. Children themselves will learn about their rights, including the rights to play, to study, to take rest, and will become aware of the risks they face in the activities they develop. Information becomes an essential tool for prevention!

We further need to establish an effective system of protection to prevent vulnerability, marginalization and discrimination. This can be done through a legislative system, which places the authority of the State behind the protection of children and envisages the child as a victim and not as a perpetrator; through a system of compulsory and free education which enables the development of the child's personality, talents and mental and physical abilities to

their fullest potential; through the establishment of bodies, like the ombudsperson, entrusted with the task of protecting and assisting the child, including through access to places where the child might be exploited, and a system of free legal aid.

Finally, we need to envisage a system of physical and psychological recovery and social reintegration of any exploited or abused child.

Today's discussion will undoubtedly contribute to better realising the importance of the Convention on the Rights of the Child in addressing all these questions and in envisaging effective strategies to bring situations of economic exploitation to an end.

With our combined efforts we cannot but expect a new impetus to be given to this crucial question.

2. Statement by Mr. Thomas Hammarberg

This Committee has so far received 31 reports from Governments of which a third now have been analysed in depth. It is too early to talk about trends and patterns. However, it is clear that economic exploitation of children is a major concern in both poor and rich countries.

The exploitation may take the form of hazardous child labour or even child slavery. Child prostitution is one example which now appears to be on the increase. Sales of children occur for such purposes but also within a market for adoptions. There is a demand and a supply aspect to all these phenomena. The supply of children for exploitation has several causes, but a major one is poverty.

Poverty is no longer limited to the developing countries. Segments of the population are poor in the industrialized countries as well. This has contributed to making exploitation of children a global problem.

Some years ago, UNICEF argued for structural adjustment with a human face. The idea was that, though economic reforms were necessary, not least to give children a more secure future, the measures taken must have a human dimension. The burden to compensate for earlier economic mismanagement should not be put on today's children. Budget cuts which undermine primary health care and primary education would be unfair (and short-sighted). However, this is precisely what seems to be happening now, as Governments in country after country seek their way out of the recession.

"Costa Rica is no longer a welfare state", said a Costa Rican government representative in this room the other day. In its report that Government wrote the following:

"In social matters, the measures adopted because of the 1980s crisis of principles have had serious consequences such as: (a) a widening of the social gaps and the regional imbalances; (b) changes in the organization of the family, particularly among the weaker groups, due to the need for more family members to have recourse to the labour market; (c) a reduction in State investment in major social programmes, and (d) the difficulty of adopting State institutions to meet new demands and needs of the poorest groups."

Costa Rica is not unique in this regard. Children have been the prime victims of both the economic crisis and the sweeping measures to reform and balance the economy in several countries. It is mostly the already disadvantaged children who are victimized. That came through in reports from Viet Nam, Russia and Sweden.

When political leaders met in New York three years ago for the World Summit for Children, they also discussed this problem. They stated that structural adjustments were necessary to promote economic growth. However, such measures should be taken "while ensuring the well-being of the most vulnerable sectors of the population, in particular the children".

Our impression is that that pledge has not been honoured. Our discussion here today will focus on violations, which are partly consequences of that failure.

A key article in the Convention - article 4 - states that Governments should implement the economic, social and cultural rights of the child "to the maximum extent of their available resources". We are not convinced that any Government which has reported to us has managed to show that it has lived up to that obligation.

The whole point of the concept of the rights of the child is that there is an obligation to meet the child's needs. It is not sufficient to give children what remains when other interests have already been met. If children had a voice they would, rightly and repeatedly, criticize adult society for hypocrisy.

Article 4 also prescribes international cooperation. However, assistance from donor countries is now reduced - when it is most needed. Again, if children had a voice they would protest.

All this is a question of attitudes and values. I already mentioned that the word "right" has a particular meaning; it means rights, not "do not completely forget". Another problem is that children are seen only as a cost in the budget discussion, not as an investment possibility for a better future.

We would like to challenge the international financial institutions, the development agencies and all Governments to review their policies and programmes in the light of the Convention on the Rights of the Child.

We are also proposing that reports about the situation of children - and their rights - form an important basis for future intergovernmental discussions about international cooperation and, in particular, development assistance.

3. Statement by Mrs. Akila Belembaogo

The consideration of the first initial reports submitted by the Governments of the States parties to the Convention on the Rights of the Child justifies the choice made by the Committee on the Rights of the Child of the topic for our meeting today. Indeed, the economic exploitation of children is gaining ground in most countries, whether developed or developing, and takes on very diverse forms, depending on the situation in which the child lives and the economic conditions in the child's country. The social repercussions are felt by the child, the family and society at large. They seriously affect the child's situation and his future.

The problems that arise are the following: When is a child to be regarded as being exploited? What are the social aspects of this exploitation? What should be done to make sure that a child is not exploited, that he has a normal childhood and that he becomes an adult under normal conditions? What is it that forces a child to work?

These questions seem all the more important in that, increasingly, recognition is being given to the child's responsibility and to his participation, but at the same time to protecting him as someone who is still vulnerable and, consequently, stands in need of special assistance and attention. The child should therefore be taught to take on his responsibility as a future adult,

member of the family and citizen of society. Accordingly, to educate the child, the parents usually start the boy or girl on a number of activities in the family, even more so in the case of a girl, whose social status depends on this. Yet the bounds of this upbringing are not always properly observed. Thus, at some point the child becomes an integral part of the family workforce and a source of income for the family. Furthermore, the socio-cultural context, extreme poverty, irresponsibility on the part of the parents, the lack of any opportunity to develop because of parental problems such as divorce, separation or death, or again, imprisonment of the father; the persistence of certain customs involving abandonment of the child, and the flight to the cities, are conditions such that the child joins the workforce, particularly in the informal sector, at an early age in order to look after himself or contribute to a family that is in financial difficulties. These situations also make for special psychological constraints on the child. Generally speaking, working in the informal sector means working to survive, and rarely to build a future. There are no statistics to prove that children working at an early age under harsh conditions manage to start a home and family one day and lead a proper life. Perhaps ILO could shed some light for us on this particular matter. Without social protection, most children work in conditions which endanger their lives, whether in searching for gold by traditional methods or working down mines, in factories, in craft industries, at home or in the fields. They lose any chance of attending school, of an education and of leisure activity.

Pornography, prostitution, the sex industry, drugs, the new forms of sale and enslavement are becoming sources of economic exploitation of children. My question is: What social and legal protection can we provide for children growing up in bars or in dens of iniquity? Yet, with the spread of AIDS, adults have tried a new tactic which consists in finding increasingly younger children so as to protect their own health. These are children sacrificed for the "pleasure" of adults.

Domestic work in families is rarely taken into account in statistics on the active population or on working children. Whether they are from the members of the family or not, child domestics experience special problems tied in with their complete subordination and with lack of privacy. Girls are the victims of incest, rape and sexual abuse. National labour laws on domestic staff rarely reach out to them, for they are not identified as being in wage-earning employment. If they are paid, the pay is no more than an allowance collected by their parents, who live in need. Often, the girl receives no pay, because it is simply a family arrangement to make her ready for her future as a submissive wife.

Again, in some countries, historical, environmental and socio-cultural factors have encouraged prostitution. For example, towns and villages with military camps and barracks are places that have fomented this and made it worse. The persistence of some customs such as abandoning and casting out young girls who become pregnant before marriage ensnares girls in prostitution, exploitation of their bodies and subjection, since it is the only way out for them.

The situation is all the more disturbing in that social customs are deteriorating, the extended family is breaking up, individualism is taking over from family and national solidarity. In the circumstances, children are less and less inclined to appreciate the ideas of marriage, the family and the future.

In most developing countries, statistics show that children, particularly those under 15 years of age, make up the larger part of the population.

Despite government efforts, development programmes primarily concern the regions, mostly urban or semi-urban, and the privileged population. Civil and criminal social legislation to protect children, where it does exist, is either insufficient or runs into serious difficulties in

implementation. Population growth defies Governments which have opted for birth control policies, for it brings them face to face with serious socio-cultural and religious obstacles.

Although they contribute to the economic expansion of their countries, children, including those from minority or disadvantaged groups, do not always benefit from the spin-off of development. Society's toleration of child labour, the resignation and the utter belief of parents in fate, and lack of awareness and ignorance in particular, make the strategies to protect children who work even more complicated.

The implementation of the Convention on the Rights of the Child, the ILO Conventions on child labour and international human rights treaties in general must be the leitmotiv of any development programme.

These are the concerns and questions raised by the social aspects of the economic exploitation of children that I would put before the participants in this meeting, in the hope that they will be among the focal points of the discussion and that the debate will lead to appropriate recommendations.

Statement on the Economic Exploitation of Children³

Children are exploited in all parts of the world today. More than 100 million children are forced into jobs destroying their health or preventing them from going to school. In some cases their conditions amount to slavery.

The United Nations Committee on the Rights of the Child has received reports indicating that children in several countries are exposed to new and more severe risks, particularly in the unregulated informal sector, the tourist economy and in agriculture. It therefore convened a special meeting at Geneva during its session ending on 8 October 1993 to discuss the problem of economic exploitation of children.

The International Labour Organisation, United Nations Children's Fund, World Health Organization and other United Nations bodies delivered reports as did non-governmental representatives from several countries including India, the Ivory Coast, Nepal, and Peru. Through video-filmed reports there were also accounts from children working under difficult circumstances in, for instance, Colombia, Egypt, the Philippines and the United States of America.

After the discussion the Committee took the following decisions:

The Committee invites financial institutions, including the World Bank and the International Monetary Fund, to a discussion about the need to protect the rights of the child in programmes of economic reform.

- When analysing States' reports, the Committee noted that groups of children in both poor and rich countries have been victimized by sweeping measures to curb inflation and encourage economic growth. Social allocations have been cut in drastic proportion.
- This has caused new poverty. Groups of vulnerable children, in particular, have been made to suffer: the girl child, the disabled, minority ethnic groups, orphans, displaced and refugee children.

³ CRC/C/20, Annex VI.

- Political leaders who met three years ago for the World Summit for Children stated that measures for structural adjustment should be undertaken without undermining the well-being of children.
- The Convention on the Rights of the Child states that Governments should implement the economic, social and cultural rights of the child "to the maximum extent of their available resources". The Committee is not convinced that any government fully lives up to that ambition today.
- There is an urgent need for a discussion on how children can be protected in programmes of economic reform. International, regional and national financial institutions have a role to play in this endeavour.

The Committee recommends that the United Nations Educational, Scientific and Cultural Organization take the lead in an international effort to make school education a real and effective alternative to exploitative child labour, including child prostitution.

- Education policy should be reviewed in several countries in order to offer a genuine right to all children to go to school. Primary education should be compulsory and free of charge. No one should be prevented from going to school because of poverty. School hours should be flexible and adapted to the real needs of the child, especially in rural areas.
- The teaching in the schools should be meaningful, the pedagogic methods child friendly and respectful of the dignity of the child.
- National development programmes should give priority to giving each child access to a good school. International cooperation is important in this regard, support from agencies like the United Nations Educational, Scientific and Cultural Organization and the United Nations Children's Fund crucial.

The Committee recommends that all Governments ratify promptly the International Labour Organisation standards on minimum age and on conditions of employment. These international norms should also be incorporated into national legislation - and be enforced.

- The laws in many countries do not give protection against economic exploitation of children. In other cases the legislation is consistent with international standards but is not enforced. A system for inspection of work places is needed in each country. Also, the informal sector of the economy should be systematically controlled.
- The cynicism which has made large-scale exploitation of children possible must now be effectively countered. Violations of the rights of working children should be penalized. Child prostitution must be severely criminalized; intermediaries, accomplices and "clients" should be penalized. Child pornography should be banned.
- The Committee welcomes the fact that the International Criminal Police Organization has given attention to these issues and recommends new initiatives for combating corruption within police forces which in some countries seems to have undermined effective measures against such crimes. International organizations should support non-governmental groups which actively combat exploitation of children.

- The Committee furthermore decided to appoint a subcommittee to follow up on the recommendations made during the discussion with the United Nations bodies and the non-governmental organizations. It will present recommendations to the Committee in mid-November. The members of the subcommittee are Mgr. Luis Bambaren Gastelumendi (Peru), Mrs. Akila Belembaogo (Burkina Faso), Mr. Thomas Hammarberg (Sweden) and Mrs. Marta Santos Pais (Portugal).

D. Follow-up to the general discussion on the economic exploitation of children⁴

176. Following the holding, at its fourth session, of a general discussion on the economic exploitation of children, the Committee had stressed the need for a continuous response to this urgent matter, and decided to take the following steps (CRC/C/20, para. 196):

- to make a public statement on the outcome of the general discussion day (which was included in the Committee's report on its fourth session (ibid., annex VI));
- to establish a working group among its members⁵ to prepare, in the light of the discussion and of the provisions of the Convention, a set of recommendations to be considered at the Committee's fifth regular session;
- to consider possible ways of issuing a publication based on the general discussion.

177. In the light of the above-mentioned mandate, the working group made two proposals which were endorsed by the Committee at its fifth session:

- the compilation of a dossier, putting together an extended record of the theme day, containing the statements made on behalf of the Committee (ibid., Annexes V and VI), the summary records of the discussion reflecting the statements made by the participants in the meeting, including the Special Rapporteur of the Commission on Human Rights on sale of children, child prostitution and child pornography, as well as basic documents adopted within the framework of the United Nations system in the field of the protection of children against economic exploitation - namely the two Programmes of Action adopted by the Commission on Human Rights for the Elimination of the Exploitation of Child Labour (resolution 1993/79, annex), and for the Prevention of the Sale of Children, Child Prostitution and Child Pornography (resolution 1992/74, annex). This dossier, to be produced and distributed in close cooperation with ILO, should be brought to the attention of all States parties, United Nations organs and specialized agencies, financial institutions and development agencies, and other bodies competent in the field, including Interpol and the NGO community (see annex IV to the present report);
- the adoption of the following set of recommendations for follow-up initiatives, designed to improve the system of prevention, protection and rehabilitation regarding children in situations of economic exploitation:

⁴ CRC/C/24.

⁵ The members appointed to the working group were Mgr. Luis A. Bambaren Gastelumendi, Mrs. Akila Belembaogo, Mr. Thomas Hammarberg and Mrs. Marta Santos Pais.

Recommendations

The Committee on the Rights of the Child, at its fifth session, recognizing the importance of the problems considered during its general discussion on the economic exploitation of children, namely relating to child labour, including in the informal sector as is the case of domestic servants, the sale of children, child prostitution and child pornography, and in the light of the fruitful exchange of views between the Committee and United Nations organs, specialized agencies and other competent bodies, in particular non-governmental organizations, decided to continue to pay attention to this reality in the framework of its activities and to adopt a set of recommendations in this area.

Introduction

- 1) The general discussion on the economic exploitation of children reflected the important holistic approach to the human rights of children stressed in the Convention on the Rights of the Child. In this spirit, the Committee on the Rights of the Child recalls that all the rights are **indivisible and interrelated**, each and all of them being inherent to the **human dignity** of the child. The implementation of each right set forth in the Convention, as is the case of the right to be protected from economic exploitation, should therefore take into account the implementation of, and respect for, all the other rights of the child.
- 2) The Committee further recalls that, under the Convention, States parties have undertaken to **respect and ensure all the rights** recognized therein to all children under their jurisdiction, **without discrimination** of any kind (art. 2), **to adopt all appropriate measures** in order to achieve that purpose (art. 4) and, in all actions taken, to regard the **best interests of the child** as their primary consideration (art. 3). Moreover, in all matters affecting the child, **the views of the child should be given due weight** and the child given the opportunity of participating in any decision-making process affecting his or her life (art. 12).
- 3) This general framework naturally applies also in situations **of economic exploitation of children**. Here, as elsewhere, the Convention calls upon States parties to take action through the establishment, in conformity with its principles and provisions, of an adequate legal framework and necessary mechanisms of implementation.
- 4) Such measures will strengthen the **prevention** of situations of economic exploitation and of their detrimental effects on the lives of children, should be aimed at reinforcing the system of children's **protection** and will promote the **physical and psychological recovery and social reintegration** of children victims of any form of economic exploitation, in an environment which fosters the health, self-respect and dignity of the child.
- 5) Through its reporting system (see Part II of the Convention), the Convention also stresses the importance for States parties to ensure a **periodic assessment and evaluation of progress** achieved in the implementation of the Convention. This monitoring activity will enable States parties to review their laws and policies on a regular basis and to focus on areas where further or other action is required. The Committee therefore recalls the relevance of the reporting system to improve the situation of children and invites States,

United Nations organs, specialized agencies and other competent bodies to consider, in the specific framework of the protection of the child from economic exploitation, the following set of recommendations:

- (a) The Committee recognizes that only through comprehensive and concerted action by all relevant entities in the field of the rights of the child will it be possible to improve and ensure success to policies of prevention, protection and rehabilitation regarding economically exploited children. For this reason, it stresses the importance of, and the need for, **coordination**, at both the national and international levels.
 - I. The Committee recommends in this regard the establishment of a **national mechanism for coordinating policies and monitoring the implementation of the Convention** on the Rights of the Child, having specific competence in the area of protection from economic exploitation.
 - A. Such a coordinating mechanism (as is the case of a National Committee or National Commission on the Rights of the Child), being composed of the various competent entities at the country level, is in a position to ensure a global and **multidisciplinary approach to the implementation** of the Convention and to promote an effective interaction and complementarity of the activities developed. Furthermore, it may facilitate the gathering of all relevant information, enable a systematic and accurate evaluation of the reality and pave the way for the consideration of new strategies for the promotion and protection of the rights of the child, including in the field of protection from economic exploitation.
- 6) This coordinating mechanism will also be an important **reference focal point for the work of non-governmental organizations**, including workers' and employers' organizations, whose cooperation should be encouraged. In fact, as the World Conference on Human Rights recognized, such organizations play an important role in the effective implementation of the Convention, namely in the fields of advocacy, education, training or rehabilitation - areas which are also of crucial importance in protecting children from any form of economic exploitation.
 - II. The Committee recalls the essential role attached by the Convention on the Rights of the Child to **international cooperation**. It further recalls that the World Conference on Human Rights recognized the need for international cooperation and solidarity to be promoted to support the implementation of the Convention, and that the **rights of the child should be given a priority in the United Nations system**.
 - A. The Committee therefore encourages States to consider ways of strengthening their cooperation and solidarity for the promotion of the rights of the child, namely at the bilateral and regional levels.
 - B. The Committee also encourages the relevant United Nations organs and specialized agencies, international financial institutions and development agencies to **enhance the coordination and interaction** of their activities,

including in the area of the protection of children against any form of economic exploitation.

- C. The Committee further encourages United Nations organs and specialized agencies regularly to review and monitor the human rights and the situation of children, in accordance with their mandates. In this framework, the Committee recalls the decisive relevance of the Convention as an inspiring and legal framework for **programmes of technical advice and assistance** and reaffirms the catalytic role the Committee intends to continue to play as a **focal point** on the rights of the child within United Nations system-wide action.
- (b) The Committee stresses the essential importance of **information and education** to ensure the prevention of situations of economic exploitation, as well as to protect and rehabilitate children affected thereby.
- I. The Committee recalls in this framework that States parties undertake to make the principles and the provisions of the Convention on the Rights of the Child widely known, by appropriate and active means, both to adults and children (art. 42).
 - A. For this purpose, the Committee recommends that States parties launch **wide information campaigns** on the Convention specifically addressed to **children**, in order for them to become aware of their rights (including the rights to study, to play and to take rest), of the measures of protection they can benefit from and of the risks they face when they are involved in situations of economic exploitation - as in the case of activities harmful to their health, preventing their harmonious development, interfering with their education, or involving them in criminal activities.
 - B. Similarly, **information campaigns aimed at the public** in general, including at the family and community levels and addressed to workers and employers, should be envisaged in order to raise consciousness and a deeper understanding of the Convention, in particular to ensure respect for the dignity of the child, to prevent discriminatory attitudes, and to achieve effective protection of children against situations of economic exploitation. **Training for special professional groups** working with or for children, including teachers, law enforcement officials, judges and social workers, should also be organized and will contribute to preventing discrimination and the marginalization and stigmatization of the child, as well as encouraging the taking of the child's perspective into due account.
 - C. All these different activities, which should be developed in close cooperation between governmental and non-governmental entities, and in which the media have an important role to play, will contribute to **bringing to light** situations of economic exploitation, often illicit and clandestine, as well as to overcoming public apathy and indifference towards those situations. Such action will, furthermore, permit an understanding of the

extent of existing problems and consideration of the adoption of the measures necessary to face them.

- II. The Committee stresses the importance of education as an essential preventive measure to counter situations of economic exploitation of children. It therefore recommends that education be given due weight, namely by making primary education compulsory and free for all children. Furthermore, education should be envisaged, as recognized by the Convention on the Rights of the Child, as a decisive tool to ensure the full development of the child's personality, talents and abilities, the occasion to give the child an opportunity to experience childhood while preparing him or her for a responsible life in society, benefiting from equal opportunities to make free and informed choices.

The Committee also recommends that the Convention be considered, within the framework of **school curricula**, as a meaningful illustration of education for human rights, as well as an incentive to encourage the **participation of children** in school and social life, including through the establishment or adherence to children's organizations. In the case of children legally employed, and in the light of article 32 of the Convention, a flexible system of education should be implemented.

- (c) In the area of the protection of the child from economic exploitation, the Committee considers the child as a person who should be given the benefit of respect and solidarity within the family and society.

- I. In the case of sexual exploitation or exploitation through work, the Committee considers the child as a victim who should be given the benefit of special protection in terms of health, education and development.

- II. In any event, the following must be strictly forbidden:
 - Activities jeopardizing the development of the child or contrary to human values and dignity;
 - Activities involving cruel, inhuman or degrading treatment, the sale of children or situations of servitude;
 - Activities that are dangerous or harmful to the child's harmonious physical, mental and spiritual development or are liable to jeopardize the future education and training of the child;
 - Activities involving discrimination, particularly with regard to vulnerable and marginalized social groups;
 - All activities under the minimum ages referred to in article 32, paragraph 2, of the Convention on the Rights of the Child and in particular those recommended by ILO;
 - All activities using the child for legally punishable criminal acts, such as trafficking in drugs or prohibited goods.

- III. In accordance with article 32 of the Convention on the Rights of the Child, every child has the right to be protected from economic exploitation. Taking into consideration the best interests of the child, States parties must formulate standards or revise legislation in force with a view to ensuring the legal protection of the child from any form of exploitation. States parties are invited to take all legislative, administrative and other measures aimed at ensuring the protection of the child, taking account of all forms of employment, including employment within the family and in the agricultural sector and informal employment.

- IV. States parties must also take measures to ensure the rehabilitation of children who, as a result of economic exploitation, are exposed to serious physical and moral danger. It is essential to provide these children with the necessary social and medical assistance and to envisage social reintegration programmes for them in the light of article 39 of the Convention on the Rights of the Child.